



02 AUG 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

HS

James E. Beyer
KILLWORTH GOTTMAN HAGAN & SCHAEFF, L.L.P.
One South Main Street, Suite 500
Dayton, OH 45402-2023

In re Application of
BORISENKO, Dmitry *et al*
Application No.: 09/807,485
PCT No.: PCT/CA99/00928
Int. Filing Date: 13 October 1999
Priority Date: 13 October 1998
Attorney Docket No.: GOW 0082 PA
For: HIGH CAPACITANCE ENERGY
STORING DEVICE

DECISION

This decision is in response to applicants' "Renewed Request Under 37 CFR §1.42" filed on 17 June 2002.

BACKGROUND

On 15 February 2002, a decision dismissing applicants renewed request under 37 CFR 1.42 was mailed because applicants failed to comply with the requirements of 37 CFR 1.497(a) and (b).

On 17 June 2002, applicants filed the instant renewed request which was accompanied by, *inter alia*, another signed declaration and a document titled "Declaration by an Administrator or Executor Attached to the Patent Application."

DISCUSSION

In the instant renewed request, applicants have furnished a declaration executed by Dmitry Borisenko as co-inventor and listing his address, residence and citizenship and the address, residence and citizenship of the deceased co-inventor, Nikolay Borisenko.

Applicants also provided a supplemental declaration in the Russian language with an accompanying English translation titled "Declaration by an Administrator or Executor Attached to the Patent Application" signed by Dmitry Borisenko as the executor of Nikolay Borisenko. Mr. Borisenko, in his capacity as legal representative in the supplemental declaration, stated that Nikolay Borisenko is the "original, first, and joint inventor" of the subject matter for which a patent is sought. The citizenship, residence and mailing address of the legal representative are listed on the supplemental declaration.

Accordingly, the declaration now complies with the requirements of 37 CFR 1.497(a) and (b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. § 371(c). The application has an international filing date of 13 October 1999, under 35 U.S.C. 363, and a 35 U.S.C. 371 date of **17 June 2002**.

This application is being forwarded to the United States Designated/Elected Office for further processing in accordance with this decision.



Richard Cole
PCT Legal Examiner
PCT Legal Office



James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457